PTO/SB/26 (09-04)

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

Docket Number (Optional)

ENT & TRAD	REJECTION OVER A "PRIOR" PATENT	226272003311
	In re Application of: Edward M. ATKINSON et al.	22027200017
	Application No.: 10/020,482	
	Filed: October 30, 2001	
	For: METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARED RELEASED RECOMBINANT AAV VECTORS	RATIONS OF
	The owner, Targeted Genetics Corporation , of instant application hereby disclaims, except as provided below, the terminal part of the statutory instant application which would extend beyond the expiration date of the full statutory term of prior as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant only for and during such period that it and the prior patent are commonly owned. This agreen on the instant application and is binding upon the grantee, its successors or assigns.	patent No. 6,566,118 ior patent is presently shortened t application shall be enforceable
# - ** · · · · · · · · · · · · · · · · ·	In making the above disclaimer, the owner does not disclaim the terminal part of the term of a application that would extend to the expiration date of the full statutory term as defined in 35 patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in later:	U.S.C. 154 and 173 of the prior
	expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shorte	ned by any terminal disclaimer.
	Check either box 1 or 2 below, if appropriate.	
	1. X For submissions on behalf of a business/organization (e.g., corporation, partnership, etc.), the undersigned is empowered to act on behalf of the business/organization.	university, government agency,
	I hereby declare that all statements made herein of my own knowledge are true and that all and belief are believed to be true; and further that these statements were made with the knowl and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of T and that such willful false statements may jeopardize the validity of the application or any patent	edge that willful false statements itle 18 of the United States Code
	The undersigned is an attorney or agent of record. Reg. No.	
	N NH PM	1/17/05
	Signature  N. STC WART PARKER	Date
	l yped or printed name	
	200	7 -52/- 7 8/10 Telephone Number
٠.	X Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
	*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assi Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	gnee (owner).
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Lindonthia Barr	Beduction	U.S. Patent and Trademark Offi on Act of 1995, no persons are required to respond to a collection of information ur	ce; U.S. DEPARTMENT OF COMMERC
***-		ER TO OBVIATE A PROVISIONAL DOUBLE PATENTING	Darlock M. and (O. C. 1)
Ri	EJECTION	OVER A PENDING "REFERENCE" APPLICATION	226272003311
In re Applic	ation of:	Edward M. ATKINSON et al.	
Application	No.: 10	/020,482	•
Filed:	October 30	), 2001	
		OR GENERATING HIGH TITER HELPER-FREE PREP NT AAV VECTORS	ARATIONS OF RELEASED
percent inter any patent g patent grant as such term be shortened hereby agree and the pate the instant a In ma application to granted on s any terminal patent: grant found invalid 1.321, has a	rest in the instranted on the led on pending in is defined in its defined in the pending cancel its defined on the pending cancel its defined in its defined in its defined in the pending in its defined in the pending in its defined in the pending in its defined in its defined in the pending in its defined in the pending in its defined in the pending in its defined	argeted Genetics Corporation ant application hereby disclaims, except as provided below, the term instant application which would extend beyond the expiration date of preference Application Number 10/016,767, filed on 35 U.S.C. 154 and 173, and as the term of any patent granted or inal disclaimer filed prior to the grant of any patent on the pending reference application are commonly owned. This agreement is binding upon the grantee, its successors or assigns.  The disclaimer, the owner does not disclaim the terminal part of any end to the expiration date of the full statutory term as defined in 35 U application, "as the term of any patent granted on said reference and prior to the grant of any patent granted on said reference and prior to the grant of any patent on the pending reference application of competent jurisdiction, is statutorily disclaimed in whole or term eled by a reexamination certificate, is reissued, or is in any manner shortened by any terminal disclaimer filed prior to its grant.	of the full statutory term of any October 30, 2001 It said reference application may be said reference application. The owner for and during such period that it runs with any patent granted on the instant J.S.C. 154 and 173 of any patent application may be shortened by tition," in the event that: any such ice fee, is held unenforceable, is inally disclaimed under 37 CFR
Check either	er box 1 or 2 l	pelow, if appropriate.	
1. X F	or submission etc.), the unde	ns on behalf of a business/organization (e.g., corporation, partnershi rsigned is empowered to act on behalf of the business/organization.	p, university, government agency,
information a statements a	and belief are and the like so	nat all statements made herein of my own knowledge are true as believed to be true; and further that these statements were made with made are punishable by fine or imprisonment, or both, under Sective willful false statements may jeopardize the validity of the application of	th the knowledge that willful false on 1001 of Title 18 of the United
21	The undersign	Signature  H. Study Particular  Typed or printed name	1 18 05 Date
X Ter	minal disclain	ner fee under 37 CFR 1.20(d) is included.	Telephone Number
*Statement	under 37 CFR	3.73(b) is required if terminal disclaimer is signed by the assignee (used for making this statement. See MPEP § 324.	owner).

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STATEMENT UNDER 37 CFR 3.73(b)				
Applicant/Patent Owner: Edward M. ATKINSON et al.				
Application No./Patent No.: 10/020,482 Filed/Issue Date: October 30, 2001				
METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED RECOMBINANT AAV VECTORS				
Targeted Genetics Corporation , a corporation (Name of Assignee) , a corporation, partnership, university, government agency, etc.)				
states that it is:				
1. X the assignee of the entire right, title, and interest; or				
2. an assignee of less than the entire right, title and interest.  The extent (by percentage) of its ownership interest is %				
in the patent application/patent identified above by virtue of either:				
A. X An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011417 , Frame 0787 , or for which a copy thereof is attached.				
OR				
B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:				
1. From: To:				
The document was recorded in the United States Patent and Trademark Office at  Reel, Frame, or for which a copy thereof is attached.				
From: To: To:  The document was recorded in the United States Patent and Trademark Office at				
Reel, Frame, or for which a copy thereof is attached.				
3. From: To:				
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Additional documents in the chain of title are listed on a supplemental sheet.				
Copies of assignments or other documents in the chain of title are attached.  [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]				
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.				
Signature Date  14. Stewart Parker 206-521-7810				
Printed or Typed Name  Telephone Number				
Title				